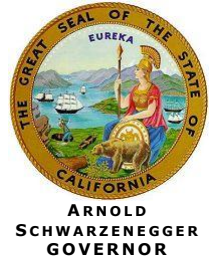




**STATE MINING AND GEOLOGY
BOARD**
DEPARTMENT OF CONSERVATION
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Publication Date: March 3, 2008

CONFORMED MINUTES

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Regular Business Meeting on:

DRAFT

Thursday, March 13, 2008

9:00 A. M.

**Assembly Hearing Room #444
State Capitol
Sacramento, California 95814**

AGENDA

For questions regarding this Agenda, please contact the SMGB office by telephone at (916) 322-1082, or by facsimile at (916) 445-0738. This Notice and associated staff reports can be accessed electronically at the SMGB's Internet web site at: <http://www.consrv.ca.gov/smgb/> (note: Agenda reports should be available electronically approximately one week prior to the scheduled meeting/hearing date).

The SMGB requests that all lengthy comments be submitted in writing in advance of the meeting date. To ensure that the SMGB has the opportunity to fully preview written material, comments should be received in the SMGB office no later than 15 days prior to the scheduled meeting date, and must indicate the Agenda Item to which it relates. For written material in excess of two pages, or that contains large maps, photos, foldouts, or other documents requiring special handling, please submit 12 copies. The SMGB will not reproduce these types of documents. Comments on Agenda Items will be accepted by electronic mail, and are subject to the same conditions set forth for other written submissions.

Individuals are responsible for presenting their own projects at the meeting.

[NOTE: Times are approximate. The chairman may alter the hearing start time or agenda item order during the meeting]

I. Call to Order (Jones)

II. Roll Call and Declaration of a Quorum

The meeting was called to order at 9:00 A. M., with members Bly-Chester, Garner and Lund absent. Member Bly-Chester arrived at 9:05 A. M., and Member Lund at 9:15 A. M., and a quorum was declared.

III. Director's Report (Luther, Department of Conservation) [Information]

Director Bridgett Luther reported on the following:

- The reduction in the State's budget will reflect an \$85 million dollar cut for the Resources Agency, and \$500,000 cut for the California Geological Survey (CGS). The reduction is not considered a hiring freeze and will not affect critical filling of certain positions. Member Bly-Chester expressed the need for the reductions not to adversely impact the planned Designation program.
- All the Department of Conservation's Budget Change Proposals (BCPs) have been approved.
- Ms. Wendy Harmon provided a legislative update and commented on SB 1501 and the Abandoned Mines Reclamation Act of 2007.
- Director Luther stated that the upcoming hearing on mining reform is of interest, and is looking forward to what comments are provided by the public and other stakeholders.

Office of Mine Reclamation Report (Craig) [Information]

Mr. Douglas Craig, Assistant Director with the Office of Mine Reclamation, reported on the following:

- A desert mine workshop was conducted and was well attended with about 50 participants.
- The Abandoned Mines Land Unit was in the news recently in reference to their sealing of an abandoned mine shaft within the City of Auburn after a dog fell into a shaft and was subsequently rescued.
- OMR continues to work with SMARA lead agencies throughout California.
- The SMGB can anticipate hearing about the public complaint pertaining to the City of Lake Elsinore at its May 2008 regular business meeting.

State Geologist's Report (Parrish) [Information]

On behalf of the State Geologist and Director of the California Geological Survey, Mr. Bill Short, provided the following report:

- Dr. Parrish was in Reston, Virginia, attending an American Association of State Geologists meeting and serving as Chairman of a geologic hazards committee.
- Two preliminary geologic hazards maps, one for the Livermore Quadrangle and the other for the Dublin Quadrangle, were released on February 27, 2007, for the 90-day public review and comment period.



- March 10, 2007, was the 75th anniversary of the Long Beach Earthquake. A commemorative poster is being distributed by CGS reflecting the enacting of the Field Act. The Field Act and its subsequent revisions authorized the Division of the State Architect (DSA) to review and approve all public school plans and specifications, and to furnish supervision of the construction work. CGS assists the DSA by reviewing geologic hazards affecting schools. Since passage of the Field Act, no school has collapsed due a seismic event, and there has been no loss of life.

IV. Chairman's Report (Jones) [Information]

No report provided.

V. Executive Officer's Report (Testa) [Information]

Executive Officer Testa summarized the following recent and upcoming activities of the SMGB, when serving as a lead agency:

- All SMARA inspections for 2007 have been completed and the remaining inspection reports will be heard by the SMGB for acceptance consideration at its upcoming April 2008 regular business meeting.

Executive Officer Testa summarized the following recent and upcoming activities of the SMGB:

- At its December regular business meeting, the SMGB received a public complaint pertaining to the City of Lake Elsinore, which questioned the City's handling of a SMARA related matter. This complaint was forwarded to OMR, and the SMGB can anticipate a report from OMR at its upcoming April 2008 regular business meeting.
- There were no new appeal or exemption requests at the present time.
- The rulemaking packet for the SMGB's adopted regulations for the conduct of a vested rights determination upon request from a surface mine operator, when the SMGB is serving as a lead agency under SMARA, is undergoing final review, and is anticipated to be submitted to the Office of Administrative Law (OAL) by early next week.
- Several California Environmental Quality Act (CEQA) documents are currently being reviewed including those for about 12 counties and 224 cities.
- The Geologic and Mineral Resources Committee can anticipate hearing discussion and recommendations from the State Geologist on designations and de-designations of mineral resource lands at its upcoming April 2008 committee meeting.

V. Ex-Parte Communication Disclosure [Information]

[Board Members will identify any discussions they may have had requiring disclosure pursuant to Public Resources Code Sections 663.1 and 663.2]

- Member Bly-Chester stated that she attended a meeting of Surveyors, Architects, Geologists and Engineers (SAGE) in El Dorado County, where she worked on a manual and served as a speaker.



VII. Good of the Meeting [Information]

[This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. All persons wishing to address the SMGB should fill out a speaker card and present it to the Secretary so that the Chair can determine the number of persons who wish to speak. Speakers are limited to three minutes except by special consent of the Chairman]

- Ms. Penny Alexander-Kelly, attorney with the law firm of Gresham Savage Nolan & Tilden representing the surface mine operator for the Super Creek Quarry located in the City of Desert Hot Springs, provided a synopsis of their efforts in submitting an amendment to the existing approved reclamation plan, and addressed in their view the three corrective measures as noted in the most recent inspection report.
- Ms. Susan Mayville and Christina Karle, both representing Citizens to End Activities of Snobs Quarry Encroachment (CEASE) expressed concern of **continued – mining** activities and the operator's claim to vested rights.
- Mr. Kevin Long, an attorney representing the Greenstone Country Owners Association summarized current outstanding issues related to the Weber Creek Quarry located in El Dorado County. This association maintains 2500 acres adjacent to the quarry site and commended the SMGB in how it handled the Garden Valley Aggregate site also located in El Dorado County, noting that this site contained naturally-occurring asbestos containing material. Outstanding concerns included lack of a financial assurance, encroachment, and the need to have this matter settled with an adequate approval process for the reclamation plan.
- Chairman Jones stated that the tools that were available to the SMGB included consideration of abandonment and subsequent reclamation, and noted that the operator never paid any damages to date.
- Deborah Wordham, Deputy Attorney General and legal counsel to the SMGB, stated that specific discussions concerning Weber Creek Quarry would need to take place in Executive Session.
- Mr. Jim Johnson and Ms. Toni Johnson also commented on outstanding compliance issues associated with the Weber Creek Quarry located in El Dorado County, including the characterization of the site as abandoned, since SMARA does not question why the operator ceased operations, but simply the fact that they did. Also commented on was the lack of a financial assurance, the operator being incapable of providing an adequate financial assurance, and lack of an approved reclamation plan.

VIII. Consent Items [Action]

[All the items appearing under this section will be acted upon by the SMGB by one motion and without discussion; however, any Board member wishing to discuss a particular item may request the Chairman to remove the item from the Consent Calendar and consider it separately under Continued Business or New Business]

1. Approval of Minutes, March 13, 2007 Regular Business Meeting.



Board Member Lund moved to approve the minutes. Board Member Bly-Chester seconded and the motion carried with a unanimous voice vote.

IX. Continued Business [Action]

[These business items have been continued from a previous meeting/hearing]

X. New Business [Action]

2. Consideration for Approval of a Request for Exemption from the Requirements of the Surface Mining and Reclamation Act (SMARA, Public Resources Code Section 2710 et seq.) Pursuant to Section 2714(f) by the Department of Transportation, Office of Design East, for a One-Time Surface Mining Activity for the Willits Bypass Project, County of Mendocino.

Executive Officer Testa stated that the SMARA allows for a one-time exemption for certain surface mining operations should the SMGB finds that the operation is 1) of an infrequent nature, and 2) involves only minor disturbances, pursuant to Public Resources Code 2714(f). In October 2007, Caltrans requested a one-time exemption from SMARA for its Willets Bypass Project located in Mendocino County. The project entails about one million cubic meters of borrow material and will disturb about 27 acres. The criteria to be considered by the SMGB are compliance with CEQA, permitted or authorization by a local agency, definition of the end use or proposed end use, and impacts on commercial activities.

- Mr. David Kelly representing Caltrans summarized the key elements of the project stating that consideration of this project commenced in the 1960s and would be an important transportation route along the coast.
- Member Bly-Chester inquired about wetlands and the need for fill.
- Member Isham indicated that he was in favor of this project.
- Member Lund stated that she supported this project, and that it was a good time for this project to go out to bid.
- Member Tepel inquired about the existence of oil wells on "Oil Well Hill". Mr. Kelly indicated that there were no actual oil wells at this location.
- Chairman Jones expressed concerns over an "unequal playing field", and that the documentation provided by Caltrans was adequate, and that the purchase of aggregate for the ultimate use as fill, or from water courses, was a waste of these materials which could serve a better purpose.

Board Member Lund moved to approve the one-time exemption from SMARA. Board Member Tepel seconded and the motion carried with a majority voice vote, with Member Hoose opposed.

3. Receipt of Public Comments on 1872 Mining Law Reform.

Executive Officer Testa stated that at its February 14, 2008, regular business meeting, the SMGB was informed that 45% of land in California is federally managed, and that pursuant



to Public Resources Code 672, the SMGB shall represent the state's interest in the development, utilization, and conservation of the mineral resources of the state and federal matters pertaining to mining. Furthermore, it was previously determined that SMARA applies to all lands in California regardless of ownership. Following comments from various stakeholders pertaining to the need for mining reform on federal lands, the SMGB decided to hold a public hearing to receive comments which is being held today. Testa stated that the SMGB may hear comments that fall into general categories including limitation of patents on mining claims, royalties and fees, hardrock mining claims maintenance, mining permits, filing of claims and abandoned mines, among others.

- Dr. Charles Alpers, Research Scientist representing the United States Geological Survey (USGS) and California Water Science Center, presented a summary on the effects of abandoned mines on water quality and the environment in California.
- Mr. Richard Humphreys, Senior Engineering Geologist representing the State Water Resources Control Board (SWRCB), summarized water quality issues associated with abandoned mines on federal lands in California.
- Mr. Cy Oggins, representing OMR and Manager of the Abandoned Mines Land Unit (AMLU), presented an overview of the scope and magnitude of abandoned mine land issues in California.
- Mr. Bill Walker, Vice President of the Environmental Working Group, discussed the need for mining reform and summarized the flaws in the 1872 Mining Law, and noted that active claims increased more than 80% since January 2003. Mr. Walker ended his presentation summarizing the principles for reform of the 1872 Mining Law.
- Mr. Roger Featherstone, representing Earthworks, stated that although California, on the whole, does a fine job in ensuring reclamation, other western states do not, and it is important that California's voice be heard.
- Dr. Carrie Monohan, acting as Science Advisor for the Sierra Fund, provided a summary of the concerns of the Sierra Fund and their recent publication "*Mining's Toxic Legacy – An Initiative to Address Mining Toxins in the Sierra Nevada*".
- Mr. Tyrone Gorre, representing the National California and Native Americans, and a native fisherman, summarized the adverse effects of mining on various rivers, notably, the Bear River.
- Members Isham and Bly-Chester thanked all the individuals that came to speak on mining reform.
- Executive Officer Testa indicated that a representative of the Bureau of Land Management (BLM) would be providing a presentation to the SMGB on its role in dealing with mining issues on federal lands in California the near future.
- Member Hoose stated that the SMGB should move on this issue sooner than later.
- Chairman Jones concurred and stated that it should be a priority, and directed Executive Officer Testa to compile and review the comments received, and work closely with the Department of Conservation to develop considerations for the SMGB.



4. Approval of Interim Management Plan (IMP) for Snows Road Quarry (CA Mine ID #91-09-0012), Lee Hall (Agent), Cobalt Crushing (Operator), El Dorado County.

Executive Officer Testa stated that the Snows Road Quarry site was, until recently, an active surface mining operation which encompassed about 16 acres in El Dorado County. Due to current litigation between the operator and the property owner, surface mining activities have ceased, and the operator has requested consideration of an Interim Management Plan (IMP). Pursuant to Public Resources Code 2727.1, within 90 days of becoming idle, a surface mining operator shall submit an IMP to the SMARA lead agency, and should it be granted, it may remain in effect for a period not to exceed 5 years. The IMP before the SMGB has been reviewed by OMR and SMGB staff, and meets the minimum requirements of SMARA and the SMGB's regulations.

- Senior Engineering Geologist Will Arcand provided a summary of the SMARA 2007 inspection report.
- Member Tepel inquired about the frequency of monitoring and whether weekly was appropriate.
- Member Bly-Chester inquired about the above ground fuel tank and whether a Storm Water Pollution Prevention Plan (SWPPP) was complete and whether an officer was named.
- Member Lund inquired about new regulations pertaining to best management practices and oil releases to the soil.
- Ms. Susan Mayville representing Citizens to End Activities of Snows Quarry Encroachment (CEASE) expressed her opposition to the SMGB approving the IMP.
- Member Isham stated that the IMP should not be approved since the operator has a history of not being responsible.
- Member Tepel concurred with Member Isham.
- Ms. Christina Karle representing Citizens to End Activities of Snows Quarry Encroachment (CEASE) stated that the surface mining operation should not be allowed to re-open until the vested rights issue is addressed.
- Member Bly-Chester inquired about the stability of the slope along the northern perimeter of the site.
- Member Hoose expressed the need for more maintenance and monitoring, and for Executive Officer Testa to communicate the shortcomings to the operator.
- Chairman Jones recommended that approval of the IMP be deferred for 60m days.

Board Member Bly-Chester moved to defer approval consideration of the IMP for 60 days, directed Executive Officer Testa to write to El Dorado County for clarification on the status of the vested rights and request records the County used in making a vested rights determination, and discuss with the SMGB's legal counsel as to what options may be available to the SMGB. Board Member Lund seconded and the motion carried with a majority voice vote.



5. Consideration of Administrative Procedure for Conduct of a Vested Rights Determination by the State Mining and Geology Board when Serving as a Lead Agency under SMARA for Western Aggregates (CA Mine ID #91-58-0001), Alan Strong (Agent), Western Aggregates, Inc. (Operator), Yuba County.

Executive Officer Testa stated that at its February 14, 2008, regular business meeting, the SMGB adopted regulations that outlined the administrative procedures for the SMGB to follow when conducting a vested rights determination when serving as a lead agency under SMARA. In preparation for conduct of such determination, which is anticipated to commence later this year, several considerations are before the SMGB with each petition it receives. In the matter of Western Aggregates request for a vested rights determination of February 8, 2007, the SMGB has before it two considerations: 1) determination of the administrative hearing officer, and 2) determination of the individual(s) who will physically review and analyze the official administrative record, once received, and compile the findings of fact for the SMGB's subsequent consideration.

- Mr. Christian Raisner, attorney representing William Calvert and the Yuba Goldfields Access Coalition, expressed his high regards for the SMGB's commitment and careful consideration in establishing a process and made three points. First, it was noted that the adopted regulations do not provide any mechanism for a vested rights determination unless the operator makes the request. Second, the recommendations of the Executive Officer are very good. Third, although he had no position on the use of a special master, the process is a fair one if "deep meaningful review" by the SMGB is performed, and he maintains considerable admiration with the SMGB in proceeding in this way.
- Mr. Russell Hildreth, Deputy Attorney General and legal counsel for the SMGB in this matter, stated in regards to Mr. Raisner's first point that the court was taking a middle ground and there are some matters that will need to be worked out.
- Mr. Scott Castro, attorney representing Western Aggregates, agreed with the pending recommendations of the Executive Officer.
- Mr. Russell Hildreth introduced himself noting that he as been involved as a representative of the SMGB and the Department of Conservation for about 8 years, notably, with the Calvert litigation where he was adverse to both sides.
- Chairman Jones discussed various elements and impacts concerning the schedule.
- Member Bly-Chester discussed the nature and size of the administrative record.
- Member Tepel inquired as to location of the administrative record.
- Chairman Jones clarified that the hearing process under discussion only applied to Western Aggregates petition to the SMGB, and discussed alternative approaches.
- Member Isham was at first surprised to see Option Two and stated that in his view it would help the SMGB in focusing its time and energy.
- Executive Officer Testa clarified the intent of the various options provided from the SMGB's consideration.

Board Member Hoose moved for the SMGB to serve as the administrative hearing officer. Board Member Tepel seconded and the motion carried with a unanimous voice vote.



- Chairman Jones moved to the issue identifying the individual(s) who would review the administrative record, once received, and determine the findings of fact for the SMGB's consideration, and stated that the individual or individuals reviewing the administrative record should not be solely a geologist with experience and qualifications in surface mining operations and mining in Yuba County, but also someone with experience and qualifications in the areas of permitting and land use planning.
- The SMGB's legal counsel, Mr. Russell Hildreth, stated that the administrative record would likely be voluminous and time intensive in order to be familiar with the contents, and suggested that the SMGB consider a de facto committee of the SMGB to review and analyze the administrative record concurrent with the review and analysis being proposed to be performed by CGS.
- Member Bly-Chester stated that all the SMGB members are very interested in this matter, and that with a de facto committee the SMGB would be assured that certain members are very familiar with the administrative record.
- Member Hoose stated that, regardless, all SMGB members would have access to the administrative record.
- Member Tepel concurred and stated that all SMGB members would have an opportunity to comment on what is important and what is not, and a de facto committee would have the opportunity to interact with SMGB and CGS staff.
- Chairman Jones indicated that it would assign three SMGB members to the de facto committee with the charge to review the administrative record upon receipt.
- Mr. Franklin expressed no disfavor with the proposed process.
- Mr. Castro also expressed no disfavor with the proposed process.

Board Member Isham moved to approve the motion to form a de facto committee of three SMGB members who would work with SMGB and CGS staff in review of the administrative record, and ultimately present its findings to the SMGB as a whole. Board Member Hoose seconded and the motion carried with a unanimous voice vote.

6. Acceptance of the Annual Fee Schedule for Mines Subject to the Surface Mining and Reclamation Act of 1975 (SMARA; Public Resources Code Sections 2710 et seq. and 2207).

Executive Officer Testa stated that annually the SMGB reviews the Fee Schedule, which is set in statute pursuant to Public Resources Code 2207, and assures that the schedule is calculated in a manner consistent with the SMGB's regulations pursuant to California Code of Regulations Sections 3698 and 3699. The Annual Fee for 2007, as calculated, will increase, and the base fees that are mentioned in statute will be adjusted by the amount provided by the Consumer Price Index which was about 3.3%. Overall, the fees will increase to the amount of \$3,996,778, which represents an increase of \$127,680 relative to the amount requested for Calendar Reporting Year 2006.



- Member Hoose inquired about the items taken in to consideration. Assistant Director Douglas Craig stated that the formula is written into regulation.

Board Member Hoose moved to accept the manner in which the Annual Fee was calculated. Board Member Bly-Chester seconded and the motion carried with a unanimous majority voice vote.

XI. Special Reports and Department Presentations [Possible Action]

[Based on these Reports, the Chair may instruct the SMGB staff to initiate administrative actions]

7. Report on the County of Siskiyou SMARA Program [Information].

Executive Officer Testa stated that in June 2007, the SMGB received a complaint from an adjacent land owner regarding the Timberhitch Pits located in Siskiyou County. The complaint alleged that the County failed to adequately enforce SMARA and bring this site into compliance. Upon receipt, the complaint was forwarded to OMR. Siskiyou County is one of the larger mining counties in the state, and based on a review of OMR's SMARA database, the County currently produces sand and gravel, rocks, cinders, bituminous rock, pumice, dimension stone and gold as placer deposits and lode. The County has about 62 mines within this jurisdiction, of which 41 are currently active, 3 closed, 17 reclaimed, and one noted as idle as of December 1, 2002.

- Chairman Jones decided to defer this matter until the SMGB's April regular business meeting since a representative from Siskiyou County was not available at this time.

8. Report on Public Complaint Pertaining to the Timberhitch Pits (CA Mine ID #91-47-0055), Larry Manley (Agent), C. H. McMillan Sand and Gravel (Operator), Siskiyou County (OMR).

Executive Officer Testa summarized the general elements of the public complaint.

- Mr. Mike Luksic, a geologist with Compliance Unit within OMR, provided a presentation summarizing actions taken by OMR in regards to the Timberhitch Pits site, noting that between January and June, 2007, the County has worked with the operator to obtain an adjusted financial assurance cost estimate and an adequate Interim Management Plan (IMP). OMR, in concert with the County, visited the site in July 2007 and noted several violations: post-1975 disturbance, no IMP in place and presence of miscellaneous debris. OMR issued a 15-day notice to the County in August 2007, and the County issued a second Order to Comply in August 2007. The Order to Comply was upheld by the Planning Commission in November 2007. In response to an appeal by the operator, the Board of Supervisors denied the appeal in February 2008 with a deadline of 30 days to comply.
- Chairman Jones inquired as to whether the County has taken the appropriate steps. Mr. Luksic indicated that the County had procedural problems, which could be further addressed when a representative from the County is available.



- Member Hoose requested a one-page summary from OMR addressing the County's overall performance as a lead agency under SMARA.
- Chairman Jones reiterated this request with a summary to be included in the Executive Officer's report.

9. Inspection reports pursuant to PRC Section 2772(b) for the following surface mining operations may be presented for SMGB acceptance consideration as being in accordance with the SMGB's requirements:

- Richmond (Dutra Chevron) Quarry (CA Mine ID #91-07-0006), City of Richmond.
- Richmond (Canal) Quarry (CA Mine ID #91-07-0007), City of Richmond.
- Weber Creek Quarry (CA Mine ID #91-09-0002), El Dorado County.
- Diamond Quarry (CA Mine ID #91-09-0003), El Dorado County.
- Cool Cave Quarry (CA Mine ID #91-09-0005), El Dorado County.
- Snows Road Quarry (CA Mine ID #91-09-0012), El Dorado County.
- Big Gun Quarry (CA Mine ID #91-31-0013), City of Rocklin.

Executive Officer Testa summarized the overall status of 2007 mine inspections performed to date.

- Senior Engineering Geologist Mr. Will Arcand presented a summary of the mine inspection reports noted above.
- Ms. Toni Johnson reiterated concerns and issues regarding the Weber Creek Quarry.

Board Member Tepel moved to accept the inspection reports. Board Member Isham seconded and the motion carried with a majority voice vote, and with Member Lund abstaining in regards to the inspection report for the Big Gun Quarry, located in the City of Rocklin.

XII. SMGB Committee Reports [Information and Possible Action]

- Geohazards Committee (Chairman Tepel)
 - Alquist-Priolo Technical Advisory Committee (Chairman Tepel)
 - Chairman Tepel indicated that the TAC met on March 12, 2007, and is making significant progress. Development of draft chapters are in progress, and will be reviewed and discussed at the upcoming May 2008 TAC meeting.
- Surface Mining and Standards Committee (Chairman Isham).
 - No report was discussed.
- Minerals and Geologic Resources Committee (Chairman Garner).
 - No report was discussed.
- Policy and Legislation Committee (Chairman Jones)
 - No report was discussed.



XIII. Continuing Business [Information]

[This item is provided as an opportunity for any SMGB member to receive information on or any items of continuing interest to the SMGB.]

No continued business was discussed.

XIV. New Business [Information]

[This item is provided as an opportunity for any SMGB member to bring any item of new business to the SMGB's attention for further discussion and further action]. Items to be discussed:

No new business was discussed.

XV. Executive Session (Closed to the Public) [Possible Action]

[The SMGB will discuss information from its legal counsel on pending litigation and may take appropriate actions based on this information. This session is being held under Government Code, Section 11126]. Items to be discussed:

- a). Brunius vs. SMGB, Case # PC 20010449, El Dorado County Superior Court.
- b). Kibbe Area Planning and Protection Association; Forest Tull vs. SMGB; A. Teichert & Sons, Inc.; and DOES 1010, Case No. 34-2007-00882657-CU-WM-GOS, Sacramento County Superior Court.
- c). An un-named case where there is potentially significant exposure to litigation against the Board.

Re-open Regular Business Session, Announce Results of Executive Session

Board Legal Counsel Deborah Wordham, Deputy Attorney General, announced that the SMGB met in closed session to discuss pending litigation and took specific action pertaining to Brunius v. SMGB, notably, to pursue a judgment on the outstanding administrative penalties.

XVI. Announcements of Future Meetings

April 10, 2008, was announced as the next meeting and Sacramento as the location.

XVII. Adjournment

The meeting was adjourned at 4:15 P.M.

APPROVED

Allen M. Jones, Chairman

Stephen M. Testa, Executive Officer

